

Gemma Crilly



Almost every consumer in the country now has a mobile phone. But do you know your rights when problems arise?

Seeing red

I recently bought a mobile phone. The label on the box said it was red, but it turned out to be blue. Can I return it even though it works?

Phone companies have several rules dictating when a consumer can claim a refund, repair, or a new phone. Here is a comparison of the leading providers regarding phone returns, as taken from company websites:

Vodafone

- Within 14 days: full refund for any reason if unused
- Within 28 days: replacement or full refund if faulty
- After 28 days: free repair if fault develops under warranty

O2

- Within 7 days: full refund for any reason if unused
- Within 30 days: full refund if the phone is faulty
- After 30 days: free replacement if covered by warranty

Meteor

- Within 14 days: full refund for coverage related issues
- Within 28 days: replacement for manufacturing problems
- After 28 days: free repair if fault develops under warranty

3 Ireland

- Within 14 days: money back guarantee if dissatisfied
- After 14 days: all mobiles include a 12 month warranty; if fault develops a replacement will be sent within 24 hours

Regardless of company policy, Irish law requires all purchased goods to be of merchantable quality, fit for their purpose, and as advertised. The label stated the incorrect colour; therefore this product was not as advertised and you have the right to a refund, repair, or replacement.

Rules and regulations

I'd like to switch my mobile from prepay to contract, but am unsure what to look out for in the contract.

The Commission for Communications Regulation (ComReg) states that all mobile phone contracts must include:

- Identity and address of the supplier
- Services provided and quality levels offered
- Time for initial connection
- Maintenance services offered
- Particulars of prices and tariffs and means by which current applicable tariffs and maintenance charges may be obtained
- Duration of the contract, conditions for renewal and termination of services and of the contract
- Any compensation and refund arrangements applicable if contracted service quality levels aren't met

This is standard information that must be supplied when signing up with a phone company. If anything is missing, don't sign until the relevant information is added into the paperwork. This ensures you have all necessary information to guarantee you receive the services paid for.

Customer service

I called my phone company's customer service department multiple times to resolve a problem, and they have yet to act. What are my rights?

According to ComReg, customer service operators should take all possible steps to ensure that complaints and problems are resolved as quickly as possible. It suggests that operators include the following in their Codes of Practice:

- First point of contact for complainant
- Means of recording complaints
- A time frame within which the operator will respond to complaints
- Retention of consumer complaint records

If you feel your complaints aren't carefully handled, we suggest you contact ComReg (see *Useful contact*). Its consumer team facilitates consumer queries and complaints and aims to ensure all operators comply with its code of practice.

What am I to do?

Useful contact

Commission for Communications Regulation (ComReg)
1890 229 668
www.askcomreg.ie

Report by Justin Paulsen